



# Development Services Director Interpretation

Applicable Code Section: 18.06.130 Table of permitted land uses (SF-E)

- A. **Authority:** 18.01.050 Authority and vested rights. Unless otherwise noted in this Code, the Development Services Department Director or his or her designee shall be responsible for administering this Code. The Development Services Director or his or her designee shall have the authority to interpret this Code. Anyone may request an interpretation of this Code by filing a written request with the Permit Center. The Development Services Director or his or her designee shall respond, in writing, to all requests for a Code interpretation. Clarifying language of one interpretation of this Code may be used for another interpretation of this Code.
- B. **Request:** Clarify the Table of Permitted Land Uses (IMC 18.06.130) – whether an Assisted Living Facility could be built on a number of parcels and be consistent with the definition for “Group care facility, adult” – A residential home in which a person or persons provide personal care, special care, room, and board to more than one (1) but not more than six (6) adults who are not related by blood or marriage to the person or persons providing the services.
- C. **Evaluation:** For the SF-E district, the Table does not allow Assisted Living Facilities, but does allow for Adult Group Care Facility and Community/Crisis Residential Center. Community Residential Center is not a defined term. However, under IMC 18.02.050, (Definitions – C), a “Community residential facility” is a defined term and is deemed equivalent to a “Nursing home”, “Residential care facility” and “Retirement home”. Under 18.02.030 (Definitions – A), an “Assisted living facility” includes “Nursing home”, “Residential care facility” and “Retirement home”.

This Interpretation will clarify the overlap in definitions and establish the defining characteristics that would preclude the development of an Assisted Living Facility in the SF-E district.

As stated by IMC 18.06.100.B: The primary purpose of this district (SF-E) is to provide for single family neighborhoods and hobby farms in a setting of larger lots, while protecting environmentally critical areas, including, but not limited to, wetlands, steep slopes, flood hazard areas, etc. Environmentally critical area constraints shall be addressed through larger lot zoning provisions of a high ratio of pervious/impervious surfaces. Permitted uses include detached single family homes. Other uses are permitted as governed by the Table of Permitted Land Uses. Recreational uses which serve the neighborhood are also permitted; provided, that traffic and other related impacts are not detrimental to the district. In addition to the objectives stated in the Purpose and Intent section of this chapter, the following objectives also apply to this district:

1. Establish and preserve residential neighborhoods for detached and semi-detached single family units free from other uses except those which are compatible with, and serve the residents of, this district;

Discussion

The SF-E district allows for: Single-family detached, Single-family duplex, Family Day Care Center, Adult Family Home/Group Care Facility, Community/Crisis Residential Center, Church, School

The district does not allow for 3-plexes, 4-plexes, multi-family or Assisted Living.

The differentiation between allowed uses and prohibited uses is centered on scale of buildings and intensity of use. As Day Care Center, Group Care Facility, and Crisis Residential Center are allowed business types within this district, the business aspect of the assisted living facility does not appear to be the issue. As a business located in a semi-rural district, signage (if any) would need to be discreet.

It can be reasoned that an assisted living facility could meet this district objective if the structures were no different than the detached/semi-detached character (single-family detached or duplex) of the other uses allowed within this district. An assisted living facility built as a large building, or multiple larger buildings would appear to be more similar to a multi-family project which are clearly precluded.

2. Discourage through arterial traffic which does not serve the affected single family neighborhoods;

Discussion

According to the ITE Trip Generation Manual (9<sup>th</sup> Edition), the traffic generated by an assisted living facility, as presented in this proposal, is less than (1 PM Peak trip per residence to .22 trips per bed) the number of trips generated by a single-family development. As duplex, a 9-lot development would generate 18 PM Peak Hour Trips. As 6 group homes + 2 affordable lots, the project would generate  $36 \times 0.22 = 7.92 + 2 = 9.92$  PM Peak Hour Trips. The circulation system should not connect to other neighborhood areas if it will be used as a cut through travel route.

3. Preserve the neighborhood character and scale, and provide for limited agricultural uses and hobby farms; and

Discussion

Many assisted living facilities are constructed as a single, large building. This type of construction allows for more efficient operation of the assisted care facility and is preferable to the operator. However, if the project is constructed as a number of single-family scaled buildings, this district objective may be met. As a single user, the opportunity for gardens benefitting the project could be encouraged.

4. Provide opportunity for low density single family development in areas not directly accessible to all urban services, yet served by public services.

Discussion

An inventory of the parcels zoned SF-E that are considered "available" for additional development are attached as Exhibit I to this Interpretation. As illustrated in the Exhibit, there are a number of properties located along the periphery of the City that provide opportunities for low density single family development.

- D. Decision: Under the specific provisions evaluated in this Interpretation, an Assisted Living Facility may be allowed within the SF-E district as it can meet the Objectives of this district and is not distinguishable from a series of Adult Group Homes under the provisions of IMC Chapter 18, if it conforms to all of the following conditions:

1. No structure shall be larger than a duplex that would otherwise be permitted if the use was residential.
2. Any requested signage, other than for addressing purposes, shall be limited to a location that is not visible to the surrounding, adjacent SF-E parcels.

3. The street circulation system does not connect to other parcels if it would be used as a route for cut through traffic.
4. Exterior recreation spaces shall be in scale and character with single-family yards; and, gardens are encouraged.

A revision to IMC 18.06.130 Table of Permitted Uses should be processed by the Department to incorporate this Interpretation.

This Official Interpretation is made under the provisions of IMC 18.01.050. Any aggrieved party may appeal this decision consistent with the provisions of IMC 18.04.250.

  
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Keith Niven, AICP  
Development Services Director

2 June 16  
Date

Cc.  
DSO Files  
City Council (via email)  
Connie Marsh (via email)

David Kappler (via email)  
Mary Lynch (via email)  
Paul Mullin (via email)

Cory Christensen (via email)



# Exhibit 1

## Under-Developed SF-E Parcels

